

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN EMBURY, M.D.,

Plaintiff,

v.

TALMADGE E. KING, JR., M.D., et al.,

Defendants.

No. C 01-1448 CW

ORDER GRANTING  
DEFENDANTS'  
MOTION TO TAX  
COSTS ON APPEAL

Defendants Talmadge E. King, Jr., Lee Goldman, and J. Michael Bishop move, pursuant to Federal Rule of Appellate Procedure 39(e), Civil Local Rule 54-1 and the Ninth Circuit's judgment in their favor, to tax their costs on appeal. Plaintiff Stephen Embury has not opposed the motion. The matter was taken under submission on the papers. Having considered the papers filed by Defendants, and good cause appearing, the Court GRANTS the motion to tax costs on appeal. Defendants shall recover of Plaintiff \$535 in total costs, including their filing fee and the reporter's transcript on appeal.

IT IS SO ORDERED.

Dated: 8/9/06



CLAUDIA WILKEN  
United States District Judge

**United States District Court**  
For the Northern District of California

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